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Raymond E. Scott
HOWARD & HOWARD ATTORNEY, P.C.
39400 Woodward Avenue - Suite 101
Bloomfield Hills, MI 48304

In re Application of
DEWEERD, Herman *et al*
U.S. Application No.: 09/674,585
PCT No.: PCT/US99/16412
Int. Filing Date: 20 July 1999
Priority Date: 23 July 1998
Attorney Docket No.: 60132-074
For: ELECTRO-OPTICAL MECHANICAL
INSTRUMENT

**DECISION ON
RENEWED PETITION
UNDER 37 CFR 1.47(a)**

This is a decision on applicants' "Response to Decision on Petition Under 37 CFR 1.47(a)" filed on 16 April 2002.

BACKGROUND

On 28 December 2001, a decision dismissing applicants' petition was mailed because they failed to satisfy items (2) and (4) of 37 CFR 1.47(a).

On 16 April 2002, applicants submitted the instant request which was accompanied by, *inter alia*, a two-month extension with the fee and a new declaration.

DISCUSSION

In the renewed request, applicants filed a declaration signed by all three of the inventors listed on the international publication including the inventor who could not be located, Mr. Jose Hernandez.

Accordingly, applicants petition under 37 CFR 1.47(a) is moot.

CONCLUSION

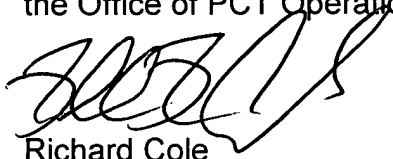
For the reasons above, applicants' renewed petition under 37 CFR 1.47(a) is **DISMISSED** as moot.

A review of the declaration filed with the instant petition reveals that it is in compliance with 37 CFR 1.497.

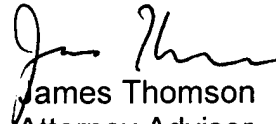
Applicants have completed the requirements for acceptance under 35 U.S.C.

371(c). The application has an international filing date of 20 July 1999, under 35 U.S.C. 363, and a 35 U.S.C. 371 date of **16 April 2002**.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



Richard Cole
PCT Legal Examiner
PCT Legal Office



James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457